



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/858,017	05/14/2001	Sangeeta Varma	0007056-0212/P6314	4875

7590 08/15/2006

MARTINE & PENILLA LLP
710 Lakeway Drive #170
Sunnyvale, CA 94085

EXAMINER

PYZOCHA, MICHAEL J

ART UNIT	PAPER NUMBER
----------	--------------

2137

DATE MAILED: 08/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/858,017

Applicant(s)

VARMA ET AL.

Examiner

Michael Pyzocha

Art Unit

2137

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 June 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,8,9,11,12,14-16,19,23,25 and 35-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,8,9,11,12,14-16,19,23,25 and 35-50 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2137

DETAILED ACTION

1. Claims 1, 3, 8, 9, 11, 12, 14-16, 19, 23, 25, 35-50 are pending.
2. Amendment filed 06/30/2006 has been received and considered.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 3, 8, 9, 11, 12, 14-16, 19, 23, 25, 35-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Stoltz et al (hereinafter Stoltz) (US 6615264).

As per claims 1, 12, 23 and 35, Stoltz teaches a method and a computer program for accessing a session comprising:
converting a first token of one or more tokens assigned to a user to an authenticated token (Col. 3, lines 12-17; Col. 7, lines 61-65; Col. 9, lines 18-40; Col. 10, lines 30-35);

Art Unit: 2137

associating said user with said session using said authenticated token (Col. 7, lines 61-67; Col. 8; lines 1-2; a user may access a system by initiating a login or other authentication mechanism...a user may be associated with a particular session); presenting said authenticated token to access said session from a first terminal, wherein each token of the one or more tokens assigned to said user can be implemented to authenticate said user, and further wherein said authenticated token can be created by each token of the one or more tokens assigned to said user; (Col. 7, lines 61-Col. 8, lines 1-6; Col. 8, lines 35-39; Col. 9, lines 39-40; Col. 10, lines 13-15 lines 35-37; Col. 11, lines 19-22 Col. 8, lines 8-9; Col. 9, lines 19-45); converting a second token of the one or more tokens assigned to said user to said authenticated token, said second token being implemented to authenticate said user (Col. 9, lines 27-34); and presenting said authenticated token to access said session from a second terminal (Col. 6, lines 16-20; Col. 8, lines 1-2; Col. 9, lines 48-50; Col. 11, lines 31-40; the user can log back in using a network terminal such as network terminal 202, connect to session and interact with the services...there can be multiple instances of network terminal 202; Col. 13, lines 58; multiple session can be associated with a user).

Art Unit: 2137

As per claims 3, 14 and 36, Stoltz discloses a method and a system comprising: sending a session disconnect signal to said first terminal (Col. 15, lines 57-58; when disconnect message is received, session manager sends a disconnect message to each one of the services directing. them to terminate sending I/O to network terminal) and routing input and output for said session to said second terminal (Col. 14, lines 24-32; ...user is connected to network terminal...direct input/output to network terminal).

As per claims 8, 9, 19, 41, 45, 46 and 50, Stoltz discloses a method, a system and a computer program wherein said biometric identifier is a finger print pattern or a retinal image (Col. 3, lines 15-16; Col. 8, lines 37-38; Col. 10, lines 57-58; Col. 16, lines 53-54).

As per claim 11, Stoltz discloses a method wherein said session is identified by said authenticated token (Col. 10, lines 35-39; Col. 11, lines 65-67; Col. 12, lines 1-30).

As per claim 15, Stoltz discloses a system wherein said step' of associating unit further comprises: authenticating an identity of said user implementing said initial token (Col. 3, lines 12-17; Col. 7, lines 61-65).

As per claims 16, 39, 40, 43 and 49, Stoltz discloses a method, a system and a computer program wherein said step of

Art Unit: 2137

authenticating comprises: obtaining said first token and said second token, said first token being, a physical token, a pass phrase or a biometric identifier assigned to said user (Col. 3, lines 15-16; using smart card, using login and password, using biometric data, etc.).

As per claim 25, Stoltz discloses a computer program comprising: computer readable code configured to cause one or more computers to send a session disconnect signal to said first terminal (Col. 15, lines 57-58; when disconnect message is received, session manager sends a disconnect message to each one of the services directing them to terminate sending I/O to network terminal); and computer readable code configured to cause said one or more computers to route input and output for said session to said second terminal (Col. 14, lines 24-32; ...user is connected to network terminal...direct input/output to network terminal).

As per claims 37, 38, 42 and 47, Stoltz discloses wherein said first token is the same as said second token or said first token is different from said second token (Abstract; Col. 7, lines 61-64; Col. 8, lines 8-9; Col. 9, lines 19-45).

As per claim 44, Stoltz discloses a method wherein said step of authenticating comprises: obtaining said second token, said second token being a physical token, a pass phrase or a

Art Unit: 2137

biometric identifier assigned to said user (Col. 3, lines 15-16; using smart card, using login and password, using biometric data, etc.)

As per claim 48, Stoltz discloses a computer program further comprising: Computer readable code configured to cause said one or more computer to authenticate an identity of said user implementing each token of the one or more tokens, (Col. 3, lines 12-17; Col. 7, lines 61-65; Col. 9, lines 17-40) said computer readable code including, computer readable code configured to cause said one or more computers to obtain said first token of said one or more tokens, and computer readable code configured to cause said one or more computers to obtain second token (Col. 3, lines 15-16; using smart card, using login and password, using biometric data, etc.; Col. 9, lines 17-40).

Response to Arguments

5. Applicant's arguments filed 06/30/2006 have been fully considered but they are not persuasive. Applicant argues Stoltz fails to disclose a plurality of first tokens are authenticated and converted to a common authenticated token that is capable of providing access to a session and the rejections of claims 1, 12, 23 and 34 under 35 USC 103(a) are overcome by the amendments.

Art Unit: 2137

With respect to Applicant's argument that Stoltz fails to disclose a plurality of first tokens are authenticated and converted to a common authenticated token that is capable of providing access to a session, the specific claim language states, "one or more tokens" therefore there is no requirement for a plurality of first tokens and therefore a single first token being used as an authentication token to provide access to a session as one of the embodiments taught by Stoltz anticipates the claims.

Applicant's argument that the rejections of claims 1, 12, 23 and 34 under 35 USC 103(a) are overcome by the amendments is persuasive and the rejection of claims 1, 12, 23, and 34 under 35 USC 103(a) have been withdrawn.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Pyzocha whose telephone number is (571) 272-3875. The examiner can normally be reached on 7:00am - 4:30pm first Fridays of the bi-week off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Emmanuel Moise can be reached on (571) 272-3865. The fax phone number for the

Art Unit: 2137

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MJP


EMMANUEL L. MOISE
SUPERVISORY PATENT EXAMINER